

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 3:06-CR-03
)	(PHILLIPS/GUYTON)
THOMAS ALVA AUSTIN,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

All pretrial motions in this case have been referred to the undersigned pursuant to 28 U.S.C. § 636(b) for disposition or report and recommendation regarding disposition by the District Court as may be appropriate. This case is before the Court on the following motions by the defendant:

- (1) Request For Discovery, Inspection, And Notice Of Intent To Use Evidence [Doc. 11] filed on February 1, 2006;
- (2) Specific Kyles-Brady Request One [Doc. 12] filed on February 2, 2006;
- (3) Motion To Suppress Illegally Seized Evidence [Doc. 15] filed on February 9, 2006;
- (4) Motion For Disclosure Of Informants [Doc. 16] filed on February 9, 2006;
- (5) Thomas Austin's Motion For Early Jencks Material And Supporting Memorandum Of Law [Doc. 17] filed on February 9, 2006;
- (6) Motion For Pre-Trial Written Disclosure Of Evidence Of Other Crimes, Wrongs Or Acts, And For A Pre-Trial Hearing On The Admissibility Of Such Evidence [Doc. 18] filed on February 9, 2006;

(7) Motion For Pre-Trial Written Notice Of Any Reputation Or Opinion Evidence Of Character Related To The Defendant [Doc. 19] filed on February 9, 2006;

(8) Motion To Dismiss For Lack Of Federal Jurisdiction And/Or Motion To Suppress The Fruits Of The Search Warrant [Doc. 20] filed on February 9, 2006;

(9) Motion For Bill Of Particulars [Doc. 21] filed on February 13, 2006; and

(10) Request For 12(d)(2) Evidence And Evidence Arguably Subject To Suppression [Doc. 23] filed on February 13, 2006.

The Court had a telephone conference on March 6, 2006 with Assistant United States Attorney Charles Atchley, Jr. for the government and attorney Gregory Isaacs for the defendant. Both parties advised this Court that the defendant was scheduled to enter a change of plea and that the pending motions could be denied as moot per the signed plea agreement. The defendant has filed a plea agreement and is scheduled to enter a Change of Plea before Honorable Thomas W. Phillips on March 27, 2006 at 9:00 a.m. The Motion Hearing/Scheduling Conference on **March 15, 2006 at 9:00 a.m.** is removed from the Court's docket. Accordingly, the defendant's motions [**Docs. 11, 12, 15, 16, 17, 18, 19, 20, 21, and 23**] are **DENIED as moot.**

IT IS SO ORDERED.

ENTER:

s/ H. Bruce Guyton
United States Magistrate Judge